



AMSB filed 7/1/4  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

Herron et al.

**Serial No.:** 09/877,635

**Filed:** June 8, 2001

**For:** DIAGNOSTIC DEVICE AND  
METHOD

**Confirmation No.:** 9774

**Examiner:** G. Gabel

**Group Art Unit:** 1641

**Attorney Docket No.:** 0274.02-3278.2US

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV325781147US

Date of Deposit with USPS: April 9, 2004

Person making Deposit: Christopher Haughton

**AMENDMENT UNDER 37 C.F.R. § 1.116**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Final Office Action dated February 9, 2004, the shortened statutory period for response to which is set to expire on May 9, 2004. This Amendment is being filed within two months of the mailing date of the Final Office Action.

Amendments to the claims are set forth in the listing of the claims, which begins on page 2 of this paper; and

Remarks start at page 5 of this paper.

APR 9 2004  
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04-12-09

AF 1641

PTO/SB/21 (08-00)

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Application Number

09/877,635

Filing Date

June 8, 2001

First Named Inventor

Herron et al.

Group Art Unit

1641

Examiner Name

G. Gabel

Attorney Docket Number

0274.02-3278.2US (U-2541.2)

## ENCLOSURES (check all that apply)

Postcard receipt acknowledgment (attached to the front of this transmittal)

Duplicate copy of this transmittal sheet in the event that additional filing fees are required under 37 C.F.R. § 1.16

Preliminary Amendment

Response to Restriction Requirement/Election of Species Requirement dated

Amendment in response to office action dated

Amendment under 37 C.F.R. § 1.116 in response to final office action dated February 9, 2004

Additional claims fee - Check No. in the amount of \$

Letter to Chief Draftsman and copy of FIGS. with changes made in red

Transmittal of Formal Drawings

Formal Drawings ( sheets)

Information Disclosure Statement, PTO/SB/08A (08-00);  copy of cited references

Supplemental Information Disclosure Statement; PTO/SB/08A (08-00); copy of cited references and Check No. in the amount of \$180.00

Associate Power of Attorney

Petition for Extension of Time and Check No. in the amount of \$

Petition

Fee Transmittal Form

Certified Copy of Priority Document(s)

Assignment Papers (for an Application)

 Terminal Disclaimer Terminal Disclaimer Terminal Disclaimer Other Enclosure(s)  
(please identify below):

## Remarks

The Commissioner is authorized to charge any additional fees required but not submitted with any document or request requiring fee payment under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account 20-1469 during pendency of this application.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or  
Individual name

Blick G. Power

Registration No. 38,581

Signature



Date

April 9, 2004

## CERTIFICATE OF MAILING

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